REMARKS

In the Official Action, claims 1-30 were rejected. Claims 10, 17, 18, 20, 21, 23, and 24 have been amended, and claims 1-30 remain pending. Applicants believe that all of the claims are patentable, and reconsideration of the application is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 10-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Salomon reference, U.S. Patent No.: 5,467,106. Claim 10 has been amended to clarify certain aspects of the present invention and is believed patentable over the cited reference along with its dependent claims.

Anticipation under 35 U.S.C. § 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

With respect to claims 10-14, amended independent claim 10 recites a processor based device; whereas, Salomon simply discloses a monitor. The Salomon reference certainly does not disclose, teach, or suggest a processor based device in combination with the other elements of claim 10 or its dependent claims 11-14. Therefore, claims 10-14 are patentable over the cited reference.

Rejections Under 35 U.S.C. § 103

Claims 1-9 and 15-30 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Gill et al. reference, U.S. Patent No. 5,388,032. The Examiner adds no secondary reference in rejecting the above claims. For claims 1-9 and 15-30, the Examiner supplements the primary reference by stating that "It would have been obvious to one of ordinary skill in the art to provide a retractable LCD module in a server as taught by the computer monitoring system of Gill et al. to provide visual output from the server and to save space for storing the display module."

Applicants respectfully traverse this rejection. The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

The Gill et al. reference discloses a monitoring unit 100 that comprises a standard keyboard 102, a display 104 and a drawer 106. (Column 6, lines 38-41). The monitoring unit is mounted within an equipment rack 160 such that drawer 106 may be slid into and out of the rack. (Column 13, lines 6-11, 23-28 and 42-46; see also Figure 4). With the drawer 106 withdrawn, the display 104 may be rotated to a comfortable viewing angle. (Column 13, lines 54-57). Placing a pivotable display and a keyboard in a sliding drawer that may be mounted in a rack, as disclosed in the Gill et al. reference, is very different from the system and elements recited in the subject claims of the present application.

For example, the Gill et al. reference does not disclose, teach or suggest "... a server having a retractable LCD module ... retracted ... within a chassis of the server." (claim 1, emphasis added), "... an information display module that may be moved between a retracted position within the chassis and an open position." (claim 15, emphasis added), or "... storing a display module in a guide housing disposed within a server ..." (claim 25, emphasis added). The device disclosed in the Gill et al. reference cannot be housed within an individual server or processor based device as recited in the presently pending claims. Additionally, the Examiner provides no reason or rationale as to how the Gill et al. reference could be combined with other prior art to supply this missing disclosure. Accordingly, the rejection based on the Gill et al. reference should be withdrawn.

Applicants also request that the Examiner cite a reference in support the position taken above pursuant to MPEP 2144.03 that states "[w]hen a rejection is based on facts within the personal knowledge of the Examiner, the data should be stated as specifically as possible, and the facts must be supported when called for by the applicant, by an affidavit from the Examiner."

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Applicants also submit that claims 2-9, 16-24, and 26-30 are patentable for the reasons provided above with respect to the claims from which they depend as well as for the unique subject matter recited in each dependent claim.

Supplemental Amendments

Claims 17, 18, 20, 21, 23, and 24 have not been amended in response to any rejections or objections made by the Examiner. They all depend, directly or indirectly, from claim 15. Claims 17, 20, 21, 23, and 24 have been amended simply to improve the form of the claim language.
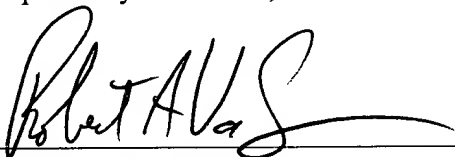
Attachment

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**."

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: September 11, 2002

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IN THE CLAIMS

Claims 10, 17, 18, 20, 21, 23, and 24 have been amended as follows:

10.   (Once Amended)   A retractable module system, comprising:

a processor based device;

an LCD module;

a guide housing physically coupled to the processor based device sized to

retractably receive the LCD module; and

a resilient member disposed in the guide housing and connected to the LCD

module to bias the LCD module to a retracted position.

17.   (Once Amended)   The system as recited in claim 16, further comprising a

resilient member connected to the information display [LCD] module to bias the information

display [LCD] module towards the retracted position.

18.   (Once Amended)   The server system as recited in claim 17 [16], wherein the

resilient member comprises a spring.

20.   (Once Amended)   The server system as recited in claim 18, further

comprising an outer guide housing for receiving the information display [LCD] module.

21.   (Once Amended)   The server system as recited in claim 20, further comprising a retraction assembly to which the <u>information display</u> [LCD] module is pivotably attached.

23.   (Once Amended)   The server system as recited in claim 22, wherein the server further includes a floppy drive assembly and a CD drive assembly, the <u>information display</u> [LCD] module being disposed generally in front of the floppy drive assembly and the CD drive assembly when in the open position.

24.   (Once Amended)   The server system as recited in claim 23, wherein the <u>information display</u> [LCD] module is pivoted to a position generally perpendicular to the front of the server before moving to the retracted position.